

**FINAL 08/20/2003**  
**REAL ESTATE APPRAISERS BOARD MEETING**  
**MINUTES**  
**MADISON, WI**

**June 18, 2003**

**PRESENT:** Patrick Buckett, Sharon Fiedler, LaMarr Franklin, Mark Kowbel,

**EXCUSED:** Roger Roslansky

**STAFF PRESENT:** Ruby Jefferson-Moore, Legal Counsel, Roxanne Peterson, Pat Schenck, Barb Showers and DOE staff for parts of the meeting.

**GUESTS:** Debbie Conrad, Wisconsin Realtors Association

**CALL TO ORDER**

LaMarr Franklin called the meeting to order at 9:35 a.m. A quorum of 4 voting members was present.

**ADOPTION OF AGENDA**

**Addition to the Agenda:**

Add "Membership Survey" under item 12. b

**MOTION:** Patrick Buckett moved, seconded by Mark Kowbel, to adopt the agenda with additions. Motion carried unanimously.

**APPROVAL OF MINUTES (04/16/03)**

**MOTION:** Patrick Buckett moved, seconded by Mark Kowbel, to approve the minutes of 04/16/03 as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

• **Board Roster**

Noted.

• **2003 Meeting Dates**

The Board noted the 2003 meeting dates.

- **Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Press Releases**

The Board noted the report.

- **To-Do List**

Noted.

- **Regulatory Digest Articles**

Roxanne Peterson asked the Board members for suggestions and articles for the Regulatory Digest.

### **BOARD MEMBER ACTIVITY**

None to report.

### **EDUCATION ISSUES**

- **Report of the REA Education Advisory Committee**

Mark Kowbel reported the Committee discussed education hours for new licensed appraisers, certified residential appraisers, and certified general appraisers and reported there are fewer sources available to meet hours as the number of providers for these courses has decreased.

Ruby Jefferson-Moore reported that the ASC saw problems with the education program and courses and the ASC has been meeting for the past 1 1/2 years. AQB Fourth Exposure Draft is the final draft. The AQB will meet July 18, 2003 and will possibly finalize issues in a draft.

The Committee went through the core curriculum and will discuss the core curriculum, college degrees, and other requirements at their next meeting for implementation of the new AQB requirements. Ruby Jefferson-Moore reported that we have until 2007 to complete the AQB core curriculum requirements and have rules and requirements in place.

- **Real Estate Appraiser School List Update**

Mark Kowbel reported that number of approved real estate appraiser course providers has dropped from 48 to 26. Applicants are having difficulty in finding real estate appraiser courses and technical schools are having trouble getting instructors for these courses.

Patrick Buckett indicated internet classes may be a possibility in the future.

### **STATUS REPORT ON PROPOSAL TO INCREASE EXPERIENCE HOURS FOR LICENSED APPRAISERS**

- **Letter Sent to DOT – Response from DOT (Tom Wagner)**

The Board reviewed and discussed Otis Nickson's letter sent to Tom Wagner at the Department of Transportation and Mr. Tom Wagner's response.

- **Letter Sent to City of Milwaukee Assessors Office**

The Board is awaiting a response to a letter Otis Nickson sent to Mary Reavy, City of Milwaukee Assessors Office requesting information in determining how unlicensed appraisers obtain appraisal experience in their profession.

## **ADMINISTRATIVE RULES**

- **Revisions Relating to the 2004 USPAP**

The Board discussed the Scope Statement and draft of the proposed rules which incorporate the 2004 USPAP rules by reference.

**MOTION:** Sharon Fiedler moved, seconded by Mark Kowbel, to authorize LaMarr Franklin to act on behalf of the Board if any action needs to be taken on the proposed rule relating to referencing the 2004 edition of USPAP in Ch. RL 87, Appendix I. Motion carried unanimously.

## **APPRAISAL SUBCOMMITTEE**

Mark Kowbel and Ruby Jefferson-Moore reported on actions taken at the REA Educational Advisory Committee.

## **GAO REPORT REGARDING OVERSIGHT OF THE REAL ESTATE APPRAISER INDUSTRY**

Informational only.

## **APPRAISAL FOUNDATION**

### **Appraisal Standards Board**

- **ASB Second Exposure Draft on Proposed Revisions to the 2003 Editions of (USPAP)**

The Board reviewed and had no comments.

- **Concept Paper on Role of Departure and Scope of Work**

The Board reviewed and had no comments.

### **Appraiser Qualifications Board**

- **Letter to AQB regarding Fourth Exposure Draft**

Noted.

- **Appraiser Qualification Board's Fourth Exposure Draft/Proposed Revisions to Appraiser Qualifications Criteria**

Noted.

- **Comments Submitted by the Appraisal SubCommittee to AQB**

Noted.

- **Implementation of New AQB Requirements**

To be discussed at the next meeting on August 20, 2003.

### **Recommendations to the Department Relating to Qualifying Education Requirements**

- **Core Curriculum Recommended by the REA Education Advisory Committee**

The Board reviewed and discussed the REA Education Advisory Committees recommendations on the core curriculum.

**MOTION:** Mark Kowbel moved, seconded by Patrick Buckett, to accept the REA Educational Advisory Committee's recommendation and adopt AQB's Core Curriculum for Licensed Appraisers as outlined in the AQB's 4<sup>th</sup> Exposure draft dated March 10, 2003. Motion carried unanimously.

**MOTION:** Mark Kowbel moved, seconded by Patrick Buckett, to accept the REA Educational Advisory Committee's recommendation and adopt AQB's Core Curriculum for Certified Residential Appraisers as outlined in the AQB's 4<sup>th</sup> Exposure draft dated March 10, 2003, with the revision that the "Residential Appraiser Site Valuation and Cost Approach" curriculum be increased from 15 hours to 30 hours for a total of 215 curriculum hours. Motion carried unanimously.

**MOTION:** Mark Kowbel moved, seconded by Patrick Buckett, to accept the REA Educational Advisory Committee's recommendation and adopt AQB's Core Curriculum for Certified General Appraisers as outlined in the AQB's 4<sup>th</sup> Exposure draft dated March 10, 2003 for a total of 300 curriculum hours. Motion carried unanimously.

**MOTION:** Mark Kowbel moved, seconded by Sharon Fiedler, to accept the REA Educational Advisory Committees recommendation and request that the Department draft a Scope Statement relating to education, exam, experience, discipline and CE for the licensed, certified residential and general appraiser credential types and any other AQB issues that are finalized at the AQB July 18, 2003 meeting. Motion carried unanimously.

Ruby Jefferson-Moore will draft a scope statement.

## **ASSOCIATION OF APPRAISER REGULATORY OFFICIALS**

### **• Fall Conference**

Mark Kowbel stated that either a Department staff person or Board member should attend the AARO Conference in Washington DC, in October 2003.

**MOTION:** Mark Kowbel moved, seconded by Sharon Fiedler, to authorize a Board member or Department staff person to represent the Board at the AARO National Fall Conference, in Washington DC in October 2003. Motion carried unanimously.

## **EXAMINATION ISSUES**

### **Education at License Level/New AQB Approved Exam– Barb Showers**

Barb Showers reported that she met with the REA Educational Advisory Committee to discuss the Wisconsin pass rates for the new AQB-approved examination offered by PSI. Barb Showers identified that the pass rates have dropped from 60% on average to 30%. Barb Showers stated that the Department has contracted with a new testing agency “Promisor” (formerly ASI) beginning in September 2003.

### **Membership Survey**

Mark Kowbel offered to review and complete the Membership Survey from AARO which will be returned to AARO.

## **PRACTICE QUESTIONS**

### **Concessions Verses Inserted Inflated Sales Price**

Sharon Fielder gave a report from the Baraboo Conference she attended.

The Board reviewed the following practice issues:

- a. Concessions Verses Inserted Inflated Sales Price
- b. Appraiser Access to Transfer Returns
- c. Use of Photos from Electronic Services.

The Board agreed that Concessions Verses Inserted Inflated Sales Price and Use of Photos from Electronic Services would be good articles for the Regulatory Digest. Sharon Fielder volunteered to write articles.

The Board requested that Ruby Jefferson-Moore invite a representative from the Department of Revenue to meet with the Board, at its next meeting, to discuss Concessions Verses Inserted Inflated Sales Price and Appraiser Access to Transfer Returns.

**MOTION:** Patrick Buckett moved, seconded by Sharon Fielder, to invite a representative from DOR to the August 20, 2003 Board meeting. Motion carried unanimously.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

Nothing to report.

## **NEW BUSINESS**

Nothing to report.

## **PRESENTATION OF PROPOSED STIPULATIONS SUBMITTED AFTER PRINTING OF AGENDA**

No Stipulations were presented.

## **CLOSED SESSION**

**MOTION:** Patrick Buckett moved, seconded by Mark Kowbel, to convene to closed session to consider discipline of persons licensed by the Board or the investigation of charges against such persons [s. 19.85(1)(b), Stats.] and, to consider individual histories or disciplinary data [s. 19.85(1)(f), Stats.] Motion carried by roll call vote: Patrick Buckett-yes, Sharon Fiedler-yes, LaMarr Franklin-yes, Mark Kowbel-yes.

Open Session recessed at 11:17 a.m.

## **RECONVENE TO OPEN SESSION**

**MOTION:** Mark Kowbel moved, seconded by Patrick Buckett, to reconvene into Open Session. Motion carried unanimously.

The Open Session reconvened at 12:25 pm.

## **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

## **MONITORING REPORT**

### **DAVID LEWIS**

**MOTION:** Patrick Buckett moved, seconded by Mark Kowbel, to accept the courses taken by David Lewis and that the DOE monitor send a letter to David Lewis advising he has completed the requirements. Motion carried unanimously.

**DARIN LE BRUN**

**MOTION:** Sharon Fiedler moved, seconded by Mark Kowbel, that Darin Le Brun continue with supervisions and limitations as outlined in the Order dated August 28, 2002 under items 2, 3, 4, and 5 and submit three (3) complete self-contained appraisals to the Department monitor at the time of completing the appraisal reports for USPAP'S compliance review(s). Case Advisor Patrick Buckett abstained. Motion carried.

**DIVISION OF ENFORCEMENT CASE STATUS REPORT**

**02 APP 042 Anthony A Totero**

**MOTION:** Patrick Buckett moved, seconded by Sharon Fielder, to close the complaint for no violation. Mark Kowbel abstained. Motion carried.

**03 APP 004 Melvyn Wolf**

**MOTION:** Patrick Buckett moved, seconded by Mark Kowbel, to close the complaint for prosecutorial discretion (P7). Motion carried unanimously.

**01 APP 026 Kurt Kielisch**

**MOTION:** Mark Kowbel moved, seconded by Patrick Buckett, to close complaint for no violation. Motion carried unanimously.

**01 APP 033 Kurt Kielisch**

**MOTION:** Patrick Buckett moved, seconded by Mark Kowbel, to close complaint for prosecutorial discretion (P7). Motion carried unanimously.

**PROPOSED STIPULATIONS**

**THOMAS QUINLAN**

**MOTION:** Mark Kowbel moved, seconded by Patrick Buckett, to adopt the Final Decision and Order and Stipulation subject to receiving the signed Stipulation in the Board office. Motion carried unanimously.

**SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

None.

**AGENDA ITEMS FOR NEXT MEETING**

Practice Questions -Meeting with DOR representative — Concessions Verses Inserted Inflated Sales Price and Appraiser Access to Transfer Returns  
Implementation of New AQB Requirements

## **ADJOURNMENT**

**MOTION:** Patrick Buckett moved, seconded by Mark Kowbel, to adjourn the meeting.  
Motion carried unanimously.

The meeting adjourned at 12:45 p.m.

**NEXT MEETING: AUGUST 20, 2003**